

## **Remarks/Arguments**

### **Status of the Claims**

Claims 1-6, 8-16, 18-20, and 30-39 were pending in the application for examination on the merits. Claims 21-29 and 40-41 were withdrawn from consideration as being drawn to non-elected subject matter. In this paper, Applicant proposes amending claims 1, 11, 30, and 31, and canceling claims 21-29 and 40-41 without prejudice or disclaimer. Because the proposed amendments do not change the scope of the claims and merely clarify the independent claims by removing negative limitations, Applicant requests that the amendments be entered. Claims 1-6, 8-16, 18-20, and 30-39 stand rejected. For the reasons set forth below, Applicant submits that each of the pending claims, as proposed to be amended herein, is in condition for allowance. Reconsideration of the claims is therefore respectfully requested.

### **Interview Summary**

Applicant wishes to thank Examiner Peng for the interview extended to Applicant's counsel of record, Kory D. Christensen and Aaron D. Barker, on January 21, 2009. During the interview, Applicant proposed amendments to claim 1 as reflected herein in the listing of claims. The Examiner agreed that the proposed amendments overcome the rejection under 35 U.S.C. § 112, first paragraph. Accordingly, Applicant has amended independent claims 1, 11, 30, and 31 along the lines discussed in the interview. Therefore, Applicant respectfully requests reconsideration of the pending amended claims.



## Claim Rejections - 35 U.S.C. § 112

Claims 1-6, 8-16, 18-20, and 30-39 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In particular, page 2 of the Office Action states that:

The negative limitations in Claims 1, 11, 30-31 such as “such that the first audio/video stream **does not pass through** the communication bus, the second input coupled to the second stream receiver through the communication bus, the select line coupled to the processor, and the output coupled directly to the hardware decoder **without passing through** the communication bus” are not disclosed anywhere in the specification.

While Applicant does not agree that the specification lacks support for these limitations, Applicant proposes amending independent claims 1, 11, 30, and 31 to remove the negative limitations.

As shown in FIG. 4 of the present application, the claimed invention includes a stream selector 304 that receives audio/video streams from two different paths. The first path includes a first receiver (e.g., video tuner 106 and demodulator/demultiplexer 108) coupled ***directly*** to a first input of the stream selector 304 such that the first audio/video stream is capable of passing directly from the first stream receiver to the first input of the stream selector. The second path includes a second receiver (e.g., modem device 124) coupled to a second input of the stream selector 304 such that the second audio/video stream passes through the bus 404. The stream selector 304 also has a select line coupled to the processor 122, and an output coupled ***directly*** to the hardware decoder 110.

As discussed above, the Examiner agreed during the interview that the proposed amendments overcome the rejection under 35 U.S.C. § 112, first paragraph. Accordingly, Applicant respectfully requests that the rejection be withdrawn.



### Conclusion

The proposed amendments should be entered because they do not change the scope of the claims, they do not require that a new search be performed, and they do not represent new matter. Further, because the Examiner agrees that the proposed claim amendments overcome the rejection, Applicant requests withdrawal of the rejection and allowance of the application at an early date.

Respectfully submitted,

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